

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 2:20-CR-20594
Chief Judge Denise Page Hood

AMIN HASANZADEH,

Defendant.

MOTION TO WITHDRAW AS COUNSEL

Pursuant to Local Rule 7.1, counsel for the defendant has consulted with Assistant United States Attorney Douglas Salzenstein, and Mr. Salzenstein has stated that the government does not take a position on this motion.

John H. Bradley of Strang Bradley, LLC, attorney for Amin Hasanzadeh, in the above-captioned action, respectfully requests permission from this Court to withdraw as counsel for Mr. Hasanzadeh, pursuant to U.S. District Court Local Rule 57.1(a) and (b), for the following reasons:

1. An irreconcilable conflict has developed between Amin Hasanzadeh and counsel to the point that counsel can no longer provide effective legal representation for Mr. Hasanzadeh.
2. Mr. Hasanzadeh was arrested on November 6, 2019 and appeared in court for an Initial Appearance later that same day. Mr. Hasanzadeh had a detention hearing on November 8, 2019, where the magistrate judge ordered that Mr. Hasanzadeh be detained pending trial.
3. Counsel, under the firm belief that he had permission from Mr. Hasanzadeh, entered into a first stipulation with Assistant United States Attorney Salzenstein to continue the preliminary exam from November 20, 2019, to January 23, 2020, and to exclude this time from the period in which an indictment or information must be filed under the Speedy Trial Act.
4. Counsel, under the same belief that he had permission from Mr. Hasanzadeh, subsequently entered into a second stipulation with Assistant United States Attorney Salzenstein, to continue the preliminary exam from January 23, 2020, to March 11, 2020, and to exclude this time under the Speedy Trial Act.

5. Counsel, again under the belief that he had permission from Mr. Hasanzadeh, subsequently entered into a third stipulation with Assistant United States Attorney Salzenstein, to continue the preliminary exam from March 11, 2020, to May 13, 2020, and to exclude this time under the Speedy Trial Act.
6. Counsel, still under the belief that he had permission from Mr. Hasanzadeh, subsequently entered into a fourth stipulation with Assistant United States Attorney Salzenstein, to continue the preliminary exam from May 13, 2020, to June 18, 2020, and to exclude this time under the Speedy Trial Act.
7. Counsel, again under the belief that he had permission from Mr. Hasanzadeh, subsequently entered into a fifth stipulation with Assistant United States Attorney Salzenstein, to continue the preliminary exam from June 18, 2020, to July 20, 2020, and to exclude this time under the Speedy Trial Act.
8. Again counsel, under the belief that he had permission from Mr. Hasanzadeh, subsequently entered into a sixth stipulation with Assistant United States Attorney Salzenstein, to continue the

preliminary exam from July 20, 2020, to September 3, 2020, and to exclude this time under the Speedy Trial Act.

9. Counsel, under the belief that he had permission from Mr. Hasanzadeh, subsequently entered into a seventh stipulation with Assistant United States Attorney Salzenstein, to continue the preliminary exam from September 3, 2020, to October 15, 2020, and to exclude this time under the Speedy Trial Act.
10. Finally, counsel, still under the belief that he had permission from Mr. Hasanzadeh, subsequently entered into an eighth stipulation with Assistant United States Attorney Salzenstein, to continue the preliminary exam from October 15, 2020, to December 17, 2020, and to exclude this time under the Speedy Trial Act.
11. Mr. Hasanzadeh did not sign any of the above first, second, third, fourth, fifth, sixth, seventh or eighth stipulations to continue the preliminary exam and exclude the continued time under the Speedy Trial Act.
12. On December 16, 2020, Mr. Hasanzadeh was indicted on an eight-count indictment and was arraigned the following day on December 17, 2020.

13. On December 22, 2020, counsel secured a stipulation from Assistant United States Attorneys Douglas Salzenstein and Adam Barry for Mr. Hasanzadeh to be released from custody pending trial, subject to certain conditions.
14. On December 22, 2020 and December 23, 2020, Assistant United States Attorney Salzenstein both emailed and called this Court's chambers to inquire whether the agreement for the pretrial release of Mr. Hasanzadeh should be submitted as a stipulation and proposed order or as an unopposed motion. Assistant United States Attorney Salzenstein did not receive any response to his above requests from this Court's chambers.
15. Having not heard back from this Court's chambers regarding the above request for over one week, counsel called the Court's chambers on December 30, 2020, to indicate that the parties had not heard back from the Court's chambers in over a week regarding their inquiry as to the Court's preference for submitting the agreement for Mr. Hasanzadeh's pretrial release. A staff member from this Court's chambers told counsel that the parties should file

a stipulation and submit a proposed order and that it would be presented to the court.

16. Later that same day, December 30, 2020, Assistant United States Attorney Salzenstein emailed a copy of the stipulation and proposed order to Pretrial Services Officer Marcus Hillie for his signature. Officer Hillie was on vacation and was not able to respond to that email until the following Monday, January 4, 2021.
17. On January 4, 2021, Assistant United States Attorney Salzenstein submitted the stipulation and proposed order to the Court. That same day, January 4, 2021, the case manager La Shawn Saulsberry emailed Assistant United States Attorney Salzenstein in response to the stipulation and proposed order that he submitted, stating, "The Judge will not sign off on this matter. His attorney will need to file a motion."
18. On January 7, 2021, after conferring with Assistant United States Attorney Salzenstein, counsel filed an unopposed Motion for Pretrial Release (Dkt. 25).
19. Between January 7, 2021, the date that the unopposed Motion for Pretrial Release was filed, and today, February 22, 2021, Attorney

Bradley, both individually and along with Assistant United States Attorneys Salzenstein and Barry, made numerous calls to both the main line for this Court's chambers (313-234-5165) or the direct line for the assigned case manager La Shawn Saulsberry (313-234-5167) to inquire about the status of the unopposed Motion for Pretrial Release. Assigned case manager La Shawn Saulsberry, has repeatedly responded by informing the parties that the motion is waiting on the Judge's desk.

20. Most recently, on February 16, 2021, counsel called both the assigned case manager La Shawn Saulsberry and the main line for this Court's chambers. Attorney Bradley initially received the voicemail of assigned case manager La Shawn Saulsberry and then called the main line for this Court's chambers. Attorney Bradley explained the procedural background to the staff member who answered the main line for this Court's chambers, specifically: that the parties have had an agreement for Mr. Hasanzadeh's pretrial release since December 22, 2020; that Attorney Bradley called the main line for this Court's chambers back in late December 2020 to inquire whether the Court would prefer that we submit our

agreement via stipulation or motion; that in response to the Court's staff member telling Attorney Bradley to submit a stipulation and proposed order the parties did so; that the assigned case manager La Shawn Saulsberry then informed the parties that the Court wanted the agreement submitted as a motion; that the unopposed Motion for Pretrial Release was filed on January 7, 2021; that despite numerous requests for an update the parties have only been told to either speak with the assigned case manager La Shawn Saulsberry, or that the motion is waiting on the Judge's desk; and that despite having an agreement from the government for Mr. Hasanzadeh's pretrial release for nearly two months and despite having filed an unopposed Motion for Pretrial Release nearly six weeks ago, the motion remains unaddressed and Mr. Hasanzadeh remains in custody. The staff member for this Court's chambers responded that they were not able to assist with the matter and that Attorney Bradley would have to discuss this with the assigned case manager La Shawn Saulsberry. Attorney Bradley again left a voice message for the assigned case manager La Shawn Saulsberry on February 16, 2021.

21. On February 17, 2021, Attorney Bradley spoke with the assigned case manager La Shawn Saulsberry and relayed the procedural history outlined above, including that despite having an agreement from the government for Mr. Hasanzadeh's pretrial release for nearly two months and despite having filed an unopposed Motion for Pretrial Release nearly six weeks ago, the motion remains unaddressed and Mr. Hasanzadeh remains in custody. Ms. Saulsberry responded again by stating that it was on the Judge's desk and that there was nothing more she could do.
22. While Attorney Bradley's inability to obtain Mr. Hasanzadeh's release, or even a meaningful response or update from the Court, over the past two months, despite the government's agreement, is not the cause of the irreconcilable conflict, counsel understands it has contributed to Mr. Hasanzadeh's loss of confidence in Attorney Bradley's ability to effectively represent Mr. Hasanzadeh.
23. On today's date, February 22, 2021, prior to filing this motion, Attorney Bradley mailed a copy of this motion to Mr. Hasanzadeh where he remains in custody at Midland County Jail, 105 East Ice Drive, Midland, MI 48642.

Wherefore, John H. Bradley of Strang Bradley, LLC, attorney for Amin Hasanzadeh, in the above captioned action, respectfully requests permission from this Court to withdraw as counsel for Mr. Hasanzadeh.

Dated: February 22, 2021.

Respectfully submitted,

/s/ John H. Bradley
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